



## GOOD PRACTICES FOR CLIENTS TO FOLLOW WHEN PROCURING CONSTRUCTION WORK

Part of CCG's suite of information sheets for businesses that procure construction work



# COMPETENT CLIENTS -GUIDANCE

This information sheet is written as guidance for organisations and businesses who intend to have construction work carried out and who wish to do the “right thing”. It seeks to provide guidance as to what practices good clients should employ when they procure construction work. The term “construction” is one covering a large range of activities from a major development like the Olympic Delivery Project to minor building repairs and refurbishment.

## Background

Clients for construction work include not only housing developers, organisations with property portfolios but also industrial developments where specialist knowledge may be required.

Clients can also be any type of business in the public or private sector, and be of any size. They may be repeat clients, or one who procures occasional or one off projects. As a result, Clients will have varying degrees of experience in dealing with construction projects and a one size fits all approach may not be suitable.

A Client as “head of the procurement chain” in many cases has the most influence in establishing and monitoring occupational health and safety through the “supply chain” and can exercise this influence by setting criteria to promote a positive health and safety culture throughout the life of a project. Clients should focus on the end result of the project and bear in mind that a project that is difficult to build and difficult to maintain is not a good design.

There are many different types of construction project and shown below are three examples of the range of projects that clients have to apply good practice to.

- Work including decorating and minor alterations to an existing property that is not notifiable to HSE.
- Work on a development project such as a housing estate, sports stadium or office block that is notifiable and where its use will be non industrial.
- Work on an industrial project such as a Hospital, Laboratory, Oil Refinery, Chemical Works or a Minerals Processing plant and where the building is to enable some other activity to take place; and the project is notifiable.

For many construction projects, clients will need to understand the benefits of sustainable development and quality, by identifying sustainable products, components and materials, at the early stages of the procurement and design. This would include the adoption of waste minimisation and management strategies and making them integral to their core business. They should work closely with their supply chain, so demonstrating a commitment to sustainability, focusing on corporate social responsibility, the environment and economics, through reducing energy and life cycle costing.

It should be noted that the HSE Approved Code of Practice, “Managing Health and Safety in Construction” sets out the minimum requirements that would enable compliance with CDM 2007. Competent clients recognise the advantages gained as a result of “raising the bar” with enhanced health and safety standards linked to an increase in general contractor performance.

A client who is “competent” to commission construction work should demonstrate certain behaviour. Examples of good behaviours and practices are set out in this information sheet.

## CCG's Good Practice for a "Competent Client"

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### A "Competent Client":

- 1) leads by example, supports and seeks to continually improve a safety culture and accepts that health and safety is a significant business risk. This may even go as far as understanding behavioural safety and the benefits it brings.
- 2) understands the importance of planning early in a structured way, including the execution of work and/or the provision of services by all of the project team including themselves.
- 3) establishes whether the work is notifiable (<http://www.hse.gov.uk/construct/cdm/generalfaq.htm#q4>) at the earliest opportunity
- 4) establishes realistic aims and objectives for health and safety from their own perspective regardless of, but relative to, project size. They encourage suppliers to implement systems and processes supporting these aims and objectives.
- 5) engages the right people, based on the nature of the project and its final use. They consider the whole life cycle of the facility being constructed including operational management issues (such as cleaning and repairs) and demolition when appointing a CDM co-ordinator.
- 6) understands the importance of supply chain management and the replacement of a "silo mentality" with an "inclusive team approach" to include suppliers
- 7) recognises that poor health and safety performance is often accompanied by poor quality work and projects that are difficult to build are often difficult and expensive to maintain
- 8) recognises that on site health and safety standards are a good indicator of how well an organisation and individuals manage risk
- 9) ensures that those within their own organisation have received sufficient training and are competent to assess other team members.
- 10) create teams based upon the competence and abilities of individuals and do not base selection solely on job descriptions
- 11) ensures that occupational health issues are given sufficient prominence within the supply chain.
- 12) has access to professional health and safety advice. Ideally this should be someone from within their organisation who understands the client's business activity. For businesses that are not large enough to have full time advice they should know where to obtain professional advice from. Support can be obtained from an appropriate Enforcing Authority and/or trade association.
- 13) knows when and how to access other professional support, such as the Operator for PFI contracts and Production Engineers/Managers in the case of industrial projects. For these types of projects it is unlikely that an individual CDM co-ordinator, as identified in the CDM 2007 Approved Code of Practice, will have sufficient knowledge and

hence a team approach must be considered.

- 14) obtains evidence to confirm the competencies of each person including obtaining and taking up practical references. Prior to the start of the contract, all appropriate documentation including evidence of relevant insurances, should be provided/exchanged as necessary.
- 15) only appoints designers and contractors after their health and safety competency has been reviewed as part of their overall assessment and found acceptable. This can be completed through a client's own investigations or where there is obvious benefit through a recognised national accreditation scheme. A competent client is one who really considers H&S and is prepared to disqualify a contractor from the tender process for a poor H&S record even if other elements of the tender application appear excellent.
- 16) ensures that appropriate arrangements are in place for ensuring there is clarity of contract management responsibilities, emergency procedures and reporting requirements.
- 17) does not ask for risk assessments and then just file them. Good practice involves having all relevant H&S documentation assessed or reviewed and, where necessary, questioned.
- 18) is not afraid to be considered "Interfering", that is being proactive, undertakes, as necessary, structured reviews of projects and implements any findings. Recognises the need not to take over the responsibilities of those with separate obligations delivering the project. Although CDM doesn't instruct clients to visit the site, good practice for ensuring safety in contracted work includes spot checks, formal

performance audits and regular monitoring/reviewing meetings. These may be undertaken on the Client's behalf by appointed professionals if the Client does not possess resource with the necessary qualifications and experience.

- 19) insists that all personnel (including sub-contractors) involved in a construction project receive appropriate induction(s) prior to them starting work on the site with appropriate refresher training as and when necessary. Consideration should be given to incorporating a Behavioural Safety programme for relevant construction work. Also understands the importance of leading on other issues such as sustainability, environmental and quality.



## Appendix

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Key legislation introduced under the Health and Safety at Work etc Act 1974 affecting construction that a good client should be aware of includes:

- Construction (Design and Management) Regulations(CDM) 2007;
- Provision and Use of Work Equipment Regulations 1998;
- Management of Health and Safety at Work Regulations 1999.
- Working at Heights Regulations 2005
- Control of Asbestos Regulations 2006
- Control of Noise at Work Regulations 2005
- Control of Vibration at Work Regulation 2005
- Personal Protective Equipment Regulations 1992
- Manual Handling Operations Regulations 1992
- Workplace (Health, Safety and Welfare) Regulations 1992
- Lifting Operations and Lifting Equipment Regulations (LOLER) 1998

## Guidance

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- The CDM Regulations - Key guidance for duty holders  
<http://www.cskills.org/healthsafety/cdmregulations/guidance/>
- Link to HSE Web Site - <http://www.hse.gov.uk/construction/index.htm>
- Link to Construction Clients Group (CCG) guidance -  
[http://www.constructingexcellence.org.uk/pdf/ccg\\_info\\_sheet\\_1v2.pdf](http://www.constructingexcellence.org.uk/pdf/ccg_info_sheet_1v2.pdf) and  
[http://www.constructingexcellence.org.uk/pdf/ccg\\_info\\_sheet\\_2v2.pdf](http://www.constructingexcellence.org.uk/pdf/ccg_info_sheet_2v2.pdf)
- Link to Office Of Government Commerce Guide – “Achieving Excellence in Construction Procurement Guide” <http://www.ogc.gov.uk/documents/CP0070AEGuide10.pdf>

## Examples of schemes/procedures where supplier registration/ membership/compliance may indicate corporate construction health and safety competence

(Clients are advised to contact the relevant scheme organisations to ascertain the benefit to them in using suppliers from these schemes)

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- Has the designer/architect completed a Safety for Designers course, such as ‘Safety in Design’  
<http://www.safetyindesign.org>
  - Is the CDM Co-ordinator a member of the APS  
<http://www.associationforprojectsafety.co.uk/headlines.php>
  - Is the (principal) contractor a member of the Major Contractors Group, the MCG and have they have adopted/support the MCG H & S Strategy  
<http://www.mcg.org.uk/>

- Are CSCS cards mandatory for all those who work/visit the site.  
<http://www.citb-constructionskills.co.uk/cardschemes/whatcardschemesareavailable/certificationschemes/cscs.asp>
- Are all parties in the supply chain supportive of the "Working Well Together" campaign.  
<http://www.wwt.uk.com/>
- Has the Client built in the CCG's Occupational Health Aspirations, to the project strategy?  
[http://www.constructingexcellence.org.uk/sectorforums/constructionclientsgroup/downloads/CCG-OCC\\_Health\\_Statement\\_1106.pdf](http://www.constructingexcellence.org.uk/sectorforums/constructionclientsgroup/downloads/CCG-OCC_Health_Statement_1106.pdf)
- Do all parties/duty holders support the ABC (Achieving Behavioural Change) initiative  
<http://www.hse.gov.uk/construction/engagement/abc.htm>.
- Has training has been received through the "Construction Health and Safety" Group or similar organisation  
<http://www.chsg.co.uk/contact/contact.htm>
- Is the Contractor a member of an external accreditation scheme such as Construction Industry Accredited Performance Scheme <http://www.ciaps.org.uk> or Contractors Health and Safety Scheme CHAS <http://www.chas.gov.uk>

## Where do I find out more?

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Information Sheet 3 in this series provides further information, answers to common questions and a detailed directory of information, guidance and resources.

Download this free from the CCG website:

[www.constructingexcellence.org.uk/sectorforums/constructionclientsgroup](http://www.constructingexcellence.org.uk/sectorforums/constructionclientsgroup)

You can also download Guidance on CDM 2007 for small, one-off and inexperienced clients written by CCG which provides more details on what clients have to do.

## Who are the Construction Clients' Group?

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We are a representative body of UK construction clients in both the public and private sectors, large and small, repeat and inexperienced. As part of Constructing Excellence, we work with other members of the supply team to deliver better value, better managed and safer construction across the UK.

## Acknowledgements

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This information sheet was written and reviewed by the members of the CCG Health and Safety Working Group.

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